

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOE HAND PROMOTIONS, INC.,

Plaintiff,

**NOT FOR PUBLICATION**

- against -

**ORDER**

143-08 94<sup>th</sup> CORP., *doing business as* KALUA  
RESTAURANT & LOUNGE, *also known as*  
KALUA CABARET, and ROGER DURAN

07-CV-02339 (RRM)(RLM)

Defendants.

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**MAUSKOPF, United States District Judge.**

Upon review of the record, this Court concurs with Magistrate Judge Roanne L. Mann's unopposed June 13, 2008 Report and Recommendation, and adopts said Report and Recommendation in its entirety.

Therefore, this Court ORDERS as follows:

1. Plaintiff is awarded \$2,250 in statutory damages, plus an additional \$10,000 in enhanced damages, and \$970 in attorneys' fees and costs, for a total award of \$13,220 against defendant 143-08 94<sup>th</sup> Corp., doing business as Kalua Restaurant & Lounge, also known as Kalua Cabaret.

2. The default judgment as to defendant Roger Duran granted by this Court on February 11, 2008 is hereby vacated for the reasons set forth in Magistrate Judge Mann's Report and Recommendation.

3. Plaintiff is hereby given thirty (30) days from the date of this Order to amend its complaint as to the claims against Roger Duran, or to advise the court that Plaintiff no longer wishes to pursue said claims. Should Plaintiff fail to so do, the Court will dismiss the action against Duran.

The Clerk is directed to transmit a copy of this Order via ECF to Plaintiff's counsel, and to send copies, via Federal Express, to defendants at the following addresses:

1. 143-08 94<sup>th</sup> Corp  
doing business as Kalua Restaurant & Lounge  
also known as Kalua Cabaret  
143-08 94<sup>th</sup> Avenue  
Jamaica, New York 11435  
Attention: Managing Agent
2. Roger Duran  
851 Wycoff Avenue, Apt. 12  
Second Floor  
Ridgewood, New York 11385

SO ORDERED.

Dated: Brooklyn, New York  
August 7, 2008

s/RRM

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ROSLYNN R. MAUSKOPF  
United States District Judge